

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

BERNARDUS H.W. HENDRIKS ET AL

NL000659

# P4  
5-20-02  
atals

Filed: CONCURRENTLY

Title: OPTICAL SCANNING DEVICE

Commissioner for Patents, Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please amend the above-identified application as follows:

IN THE CLAIMS

Please amend the Claims to be in the form as follows. A marked up copy of the claims is included in an appendix following this amendment for the Examiners convenience.

A  
*Sub*  
b2  
4. An optical scanning device according to claim 1, wherein the rms wavefront error caused by the comatic aberration generated by the objective lens at a maximum required field angle with respect to the axial direction, as compensated by the non-periodic phase structure, is less than 40mJ.

A  
*Sub*  
6. An optical scanning device according to claim 1, wherein said non-periodic phase structure includes a plurality of annular zones, each of said zones comprising a step of a substantially